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Substitute form PTO/SB/64

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

for

Attorney Docket Number: FSP0042
Title: ROTATING BARRIER FOR JET MASSAGE
Application Number: 10/773,764
Filing Date: Friday, February 06, 2004
First Named Inventor: Thomsen, Merlin E.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action of the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

THE APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition Fee

****The applicant claims small entity status****

A petition fee of \$750 is provided.

Authorization to debit deposit account 501691 for \$750 dollars is included and includes amounts to cover the statutory fees for the petition for revival.

2. ☒ A reply and/or fee to the above-noted office action is provided in the form of amendment, and is enclosed herewith.

☐ An issue fee in the amount of _____ is provided herewith.

3. This utility application was filed after June 8, 1995, and hence no terminal disclaimer is required.

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Signature /Charles A. Mirho/
Charles A. Mirho
Reg. 41,199

Date: Wednesday, July 30, 2008

08/01/2008 HMARZ12 00000001 501691 10773764
01 FC:2453 770.00 DA

Attorney for Applicant

Enclosures:

- 7 pages of response to official action
- 1 page of Petition to revive an unintentionally abandoned application
- 1 page of Certificate of facsimile
- 1 page of Fee transmittal to PTO

Authorization to debit deposit account 501691 for \$750 dollars.

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